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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/617,164 | 07/09/2003 | Michael Merrick | P214136 | 2717 |
| 7590 | 06/13/2005 | | EXAMINER | |
| MICHAEL R. SCHACHT Suite 202 2801 Meridian Street BELLINGHAM, WA 98225-2400 | | | MCDOWELL, SUZANNE E | |
| | | ART UNIT | PAPER NUMBER | |
| | | 1732 | | |

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
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EXAMINER

601617164

ART UNIT PAPER

053105

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on 2/28/05 is not fully responsive to the prior Office action because it does not list the claims that correspond to species a. Looking at Figs. 1A-H and Fig. 6, they are drawn to a first embodiment, and Fig. 2 is drawn to a second embodiment. Claims 1-35 claim two separate and distinct embodiments, and election between the embodiments requires a listing of claims corresponding to the elected species. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suzanne E. McDowell whose telephone number is (571) 272-1205. The examiner can normally be reached on M, W, Th 6:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SUZANNE E. McDOWELL
PRIMARY EXAMINER

5/31/05